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29 MILITARY ORDER OF THE PURPLE  
30 HEART OF THE UNITED STATES OF  
31 AMERICA, INC.; and MILITARY ORDER OF  
32 THE PURPLE HEART SERVICE  
33 FOUNDATION, INC.

34 **UNITED STATES DISTRICT COURT**

35 **NORTHERN DISTRICT OF CALIFORNIA**

36 PURPLE HEART PATIENT CENTER,  
37 INC., a California corporation,

38 Plaintiff,

39 Case No. 3:13-cv-00902-WHA

40 STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO  
41 ANSWER; CASE NO. 3:13-cv-00902-WHA

v.

MILITARY ORDER OF THE PURPLE  
HEART OF THE UNITED STATES OF  
AMERICA, INC., a United States federally  
chartered corporation; and MILITARY  
ORDER OF THE PURPLE HEART  
SERVICE FOUNDATION, INC., a  
Wisconsin corporation,

Defendants.

AND RELATED COUNTERCLAIMS.

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO AMEND COMPLAINT AND  
TO EXTEND TIME TO ANSWER**

Plaintiff/counter-defendant Purple Heart Patient Center, Inc. (“Plaintiff”) and Defendants  
and counter-plaintiffs Military Order of the Purple Heart of the United States of America, Inc. and  
Military Order of the Purple Heart Service Foundation, Inc. (collectively, “Defendants”), by and  
through their respective undersigned counsel, stipulate and agree as follows:

WHEREAS Defendants agree pursuant to Fed. R. Civ. P. 15(a)(2) that Plaintiff may file  
its proposed First Amended Complaint, a copy of which is attached hereto as Exhibit A;

WHEREAS Plaintiff agrees to withdraw its pending Motion For Order Granting Leave To  
File Amended Complaint (the “Motion”; *see* Dkt. 36), filed on June 19, 2013; and

WHEREAS Plaintiff agrees that Defendants may have up to and including August 14,  
2013 to file their answer or other response to Plaintiff’s First Amended Complaint;

THEREFORE, the parties hereby agree and stipulate that, subject to the Court’s entry of  
an order approving this Stipulation, Plaintiff will withdraw its pending Motion, Plaintiff’s First  
Amended Complaint will be deemed filed and served upon Defendants as of the date of entry of

STIPULATION AND ~~[PROPOSED]~~ ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO  
ANSWER; CASE NO. 3:13-cv-00902-WHA

the Order on this Stipulation, and Defendants' responsive pleading to the First Amended Complaint must be filed with the Court and served upon Plaintiff on or before August 14, 2013.

Dated: July 2, 2013.

QUARLES & BRADY LLP

By: /s/ Jennifer S. Coleman

David R. Cross  
Johanna M. Wilbert

John V. Picone III  
Jennifer S. Coleman  
HOPKINS & CARLEY

Richard Kovelant  
KOVELANT LAW OFFICES LLC

Attorneys for Defendants/Counter-  
Plaintiffs  
MILITARY ORDER OF THE PURPLE  
HEART OF THE UNITED STATES OF  
AMERICA, INC.; and MILITARY  
ORDER OF THE PURPLE HEART  
SERVICE FOUNDATION, INC.

Dated: July 2, 2013

DONAHUE GALLAGHER WOODS LLP

By: /s/ Eric A. Handler

Steven K. Lee  
Eric A. Handler  
Daniel J. Schacht

Attorneys for Plaintiff/Counter-Defendant  
PURPLE HEART PATIENT CENTER,  
INC.

# **FILER'S ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I hereby certify that I have obtained the concurrence in the filing of this document from all signatories for whom a signature is indicated by a "conformed" signature (/s/) within this electronically filed document and I have on file records to support this concurrence for subsequent production to the Court if so ordered or for inspection

STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO ANSWER; CASE NO. 3:13-cv-00902-WHA

upon request.

Dated: July 2, 2013

HOPKINS & CARLEY  
A Law Corporation

By: /s/ Jennifer S. Coleman

Jennifer S. Coleman  
Attorneys for Defendants/Counter-  
Plaintiffs  
MILITARY ORDER OF THE PURPLE  
HEART OF THE UNITED STATES OF  
AMERICA, INC.; and MILITARY  
ORDER OF THE PURPLE HEART  
SERVICE FOUNDATION, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: July 3, 2013.

  
HONORABLE WILLIAM H. ALSUP

STIPULATION AND ~~PROPOSED~~ ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO  
ANSWER; CASE NO. 3:13-cv-00902-WHA